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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/848,166	05/03/2001	Michael Wayne Brown	AUS920000712US1	7663
24033	7590	06/28/2005	EXAMINER	
KONRAD RAYNES & VICTOR, LLP 315 S. BEVERLY DRIVE # 210 BEVERLY HILLS, CA 90212			CHANG, JUNGWON	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/848,166

Applicant(s)

BROWN ET AL.

Examiner

Jungwon Chang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2005.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-72 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-72 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 6/16/03, 4/17/03, 12/16/02, 12/19/02, 6/25/02  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_

**FINAL ACTION**

1. This office action is responsive to amendment filed on 3/17/2005. Claims 1-72 are presented for examination.
2. The objection of drawings is withdrawn due to the applicant's amendment.
3. The objection of claim 16 is withdrawn due to the applicant's amendment.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 18-22, 40-44 and 62-66 are rejected under 35 U.S.C. 102(e) as being anticipated by Blants (US 6,732,080).
6. As to claims 18, 40 and 62, Blants discloses the invention as claimed, including a method for generating a calendar for a personal information management program (figs.

3-4; col. 1, line 62 – col. 2, line 15), comprising:

receiving selection of a time interval (scheduled time; col. 7, lines 61-65; col. 17, lines 22-24; col. 18, lines 33-39);

for the selected time interval, determining position coordinates of a wireless device and time information indicating a time when the position coordinates were generated (202, fig. 5; current position and time of the mobile terminal; col. 14, 34-42; col. 2, lines 24-30), wherein a user is associated with the wireless device (user of the mobile terminal; col. 8, lines 27-30 and 43-56); and

processing the position coordinates and time information to determine information on locations (a global positioning system that inherently has a function to determine position coordinates such as x, y, z position coordinates and time information of a wireless device periodically; col. 9, lines 55-60; col. 13, lines 10-13; location register; col. 12, lines 31-40; col. 13, lines 7-16; col. 14, lines 34-42) and associated time periods (for the time period in which the user takes place; col. 17, lines 27-33), wherein for each determined location and associated time period, the user of the wireless device was located at the location for the associated time period (col. 6, lines 65-67; col. 15, lines 34-44);

displaying information on the determined locations and time periods where the user of the wireless device was located for the selected time interval (col. 3, lines 15-24; col. 6, lines 42-67; col. 12, lines 31-40).

7. As to claim 19, Blants discloses determining scheduled events for the user within

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the selected time interval (fig. 3; col. 12, lines 41-54; col. 13, lines 7-16); and displaying information on the determined locations and time periods where the user was located for the selected time interval (col. 3, lines 15-24; col. 6, lines 42-67; col. 12, lines 31-40; col. 13, lines 7-16).

8. As to claims 20 and 21, Blants discloses wherein the selected time interval comprises a selected time period of a user selected day (scheduled time; col. 7, lines 61-65; col. 17, lines 22-24; col. 18, lines 33-39).

9. As to claim 22, Blants discloses the information is displayed in a calendar Graphical User Interface (GUI; fig. 3; col. 12, lines 31-40).

10. As to claims 41 and 63, they are rejected for the same reasons set forth in claim 19 above.

11. As to claims 42, 43, 64 and 65, they are rejected for the same reasons set forth in claims 20 and 21 above.

12. As to claims 44 and 66, they are rejected for the same reasons set forth in claim 22 above.

***Claim Rejections - 35 USC § 103***

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 1-17, 23-39, 45-61 and 67-72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chern et al. (2003/0060211), hereinafter referred to as Chern, in view of Contractor (US 6,847,824).

15. As to claims 1 and 23, Chern discloses the invention as claimed, including a method for providing user location information (610, fig. 8; 664, fig. 10; page 1, [0007]; page 2, [0027]) for a personal information management program (page 7, [0080]), comprising:

generating position coordinates (longitude 412, latitude 414, height 416, fig. 6) of a wireless device (100, fig. 1; 130, 132, fig. 2; page 2, [0030]-[0032], [0038]) (position determining system 134 determines location; page 3, [0040]; fig. 6; page 7, [0087]-[0088]) and time information indicating a time when the position coordinates were generated (410, fig. 6; page 7, [0087]-[0088]), wherein a user is associated with the wireless device (user of the wireless device; page 1, [0009]; page 2, [0038]); and  
processing the position coordinates and time information to determine information on locations and associated time periods (a global positioning system that inherently has a function to determine position coordinates such as latitude, longitude,

height position coordinates of the wireless device periodically; page 3, [0040]; location filter; page 3, [0046]; location information; page 7, [0087]-[0088]; position determination system is included with the wireless communication device to allow the location of the device to be determined; page 2, [0027]; page 3, [0044]-[0046]), wherein for each determined location and associated time period (location information response includes parameters indicating position such as time, longitude, latitude, height, data age; page 7, [0087]-[0088]).

16. Chern discloses a location monitoring service creates a log of the user's location (user can review his daily activities; page 6, [0074]; page 9, claims 8 and 18). However, Chern does not specifically disclose multiple generated position coordinates and the associated time period for the location includes the time information generated for the position coordinates included in the determined location. Contractor discloses multiple generated position coordinates (coordinate pair position; 240, fig. 2; 330, fig. 3; col. 2, lines 37-41; col. 5, line 62 – col. 6, line 2; col. 6, lines 31-54; col. 7, lines 55-63) and the associated time period for the location (time; 350, fig. 3; fig. 5; col. 10, lines 50-55) includes the time information generated for the position coordinates included in the determined location (figs. 2, 3, 5; col. 6, lines 31-54; col. 8, lines 11-49; col. 10, lines 50-55; col. 12, line 53 – col. 13, line 15; col. 13, lines 63-67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Chern and Contractor because Contractor's multiple generated position coordinates would allow the system to keep track the user's each location with

associated the time period (Contractor; col. 12, line 53 – col. 13, line 3).

17. As to claims 2 and 3, Chern further discloses wherein the position coordinates (position determining system 134 determines location; page 3, [0040]; fig. 6; page 7, [0087]-[0088]) and time information (410, fig. 6; page 7, [0087]-[0088]) are generated at the wireless device, further comprising:

transmitting the generated position coordinates and time information to a server (136, fig. 2) (712, fig. 12; page 7, [0080]); and storing, with the server, the generated position coordinates and time information in a database (138, fig. 2) (page 3, [0047]; page 4, [0052]), wherein the server processes the position coordinates and time information to determine the locations (206, 208, 210, fig. 3; page 4, [0051]).

18. As to claims 4, 5 and 7, Chern further discloses providing a plurality of location boundaries (regions; page 6, [0076]-[0077]) defining multiple location coordinates (page 3, [0040]); for each location boundary, providing a location description including information describing the location boundary (location-based information retrieval system includes a driving direction service, a points of interest service, a location monitoring service and notification service; page 5, [0061]); for each generated position coordinate, determining whether the position coordinate is included in one of the provided location boundaries (position determining system 134 determines location; page 3, [0040]; fig. 6; page 7, [0087]-[0088]), wherein at least one determined location comprises one predefined location boundary including position coordinates (fig. 6; page



7, [0087]-[0088]), and wherein the information generated on the at least one location includes the location description for the predefined location boundary comprising the location (location-based information retrieval system includes a driving direction service, a points of interest service, a location monitoring service and notification service; page 5, [0061]).

19. As to claim 6, Chern further discloses receiving location boundary and location description information from a transmitter (transceiver, 122, page 2, [0034]).

20. As to claim 8, Chern further discloses receiving position coordinates and time information from multiple wireless devices (206, fig. 3; 712, fig. 12; page 7, [0080]); and storing the position coordinates and time information in a database with information associating each position coordinate and time information with one user (page 3, [0047]; page 4, [0052]).

21. As to claim 9, Chern further discloses for each user, determining a series of position coordinates included within one predefined location boundary (within X miles of the user's current location; page 3, [0046], [0048]).

22. As to claims 10 and 11, Chern discloses a location monitoring service creates a log of the user's location (user can review his daily activities; page 6, [0074]; page 9, claims 8 and 18). However, Chern does not specifically disclose determining activity

time periods that are within the selected time interval. Contractor discloses determining activity time periods that are within the selected time interval (figs. 2, 3, 5; col. 8, lines 11-49; col. 10, lines 50-55; col. 12, line 53 – col. 13, line 15; col. 13, lines 63-67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Chern and Contractor because Contractor's location log having time and location information would improve user activity monitoring service of Chern's system by allowing the system to determine how long the user has been spent time on every activity.

23. As to claims 12 and 14, Chern further discloses transmitting the generated information to an initiator of the request for information to enable the initiator to display the location information and time periods where the user of the wireless device was located for the time interval (display, 108, fig. 1; information may be displayed on the handset display; page 3, [0043]; in step 210, is displayed to the user; page 4, [0051]; page 4, [0053]).

24. As to claim 13, Chern further discloses wherein the initiator requesting the information comprises a program installed on a computer (104, fig. 1; page 2, [0033]), and wherein the generated information is transmitted over the Internet (140, fig. 2) to the computer (page 3, [0043]).

25. As to claim 15, Chern does not specifically disclose determining scheduled

events for the user within the time interval; and generating information on the scheduled events within the time interval to enable the initiator to display information on the scheduled events along with the geographic locations where the user was located during the time interval. However, Coordinate discloses determining scheduled events for the user within the time interval (230, fig. 2; 340, fig. 3); and generating information on the scheduled events within the time interval to enable the initiator to display information on the scheduled events along with the geographic locations where the user was located during the time interval (figs. 2-3; col. 1, lines 24-43; col. 8, lines 5-49; col. 10, lines 8-22 and 44-55). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Chern and Contractor because Contractor's scheduled events along with the geographic locations would improve the reliability of Chern's system by allowing the user to be reminded when and where the scheduled events occur.

26. As to claim 16, Chern further discloses wherein each position coordinate is expressed as an x, y, z coordinate (longitude 412, latitude 414, height 416, fig. 6).

27. As to claim 17, Chern further discloses providing information on the determined locations comprising one of at least text, audio, image, and video (page 2, [0028]; information is audibly or visually provided to the user, 208, 210, fig. 3; page 4, [0053]).

28. As to claims 24 and 25, they are rejected for the same reasons set forth in claims

2 and 3 above.

29. As to claims 26, 27 and 29, they are rejected for the same reasons set forth in claims 4, 5, and 7 above.

30. As to claim 28, it is rejected for the same reasons set forth in claim 6 above.

31. As to claim 30, it is rejected for the same reasons set forth in claim 8 above.

32. As to claim 31, it is rejected for the same reasons set forth in claim 9 above.

33. As to claims 32 and 33, they are rejected for the same reasons set forth in claims 10 and 11 above.

34. As to claim 34, it is rejected for the same reasons set forth in claim 12 above.

35. As to claim 35, it is rejected for the same reasons set forth in claim 13 above.

36. As to claim 36, it is rejected for the same reasons set forth in claim 14 above.

37. As to claim 37, it is rejected for the same reasons set forth in claim 15 above.

38. As to claim 45, it is rejected for the same reasons set forth in claims 1 and 23. In addition, Chern discloses an article of manufacture including code method (page 2, [0033]; page 8, [0093], [0095]).

39. As to claims 46 and 47, they are rejected for the same reasons set forth in claims 2 and 3 above.

40. As to claims 48, 49 and 51, they are rejected for the same reasons set forth in claims 4, 5, and 7 above.

41. As to claim 50, it is rejected for the same reasons set forth in claim 6 above.

42. As to claim 52, it is rejected for the same reasons set forth in claim 8 above.

43. As to claim 53, it is rejected for the same reasons set forth in claim 9 above.

44. As to claims 54 and 55, they are rejected for the same reasons set forth in claims 10 and 11 above.

45. As to claim 56, it is rejected for the same reasons set forth in claim 12 above.

46. As to claim 57, it is rejected for the same reasons set forth in claim 13 above.

47. As to claim 58, it is rejected for the same reasons set forth in claim 14 above.
48. As to claim 59, it is rejected for the same reasons set forth in claim 15 above.
49. As to claim 60, it is rejected for the same reasons set forth in claim 16 above.
50. As to claim 61, it is rejected for the same reasons set forth in claim 17 above.
51. As to claim 67, it is rejected for the same reasons set forth in claims 1 and 23. In addition, Chern discloses computer readable medium (page 8, [0095]).
52. As to claim 68, it is rejected for the same reasons set forth in claim 4 above.
53. As to claim 69, it is rejected for the same reasons set forth in claim 9 above.
54. As to claim 70, they are rejected for the same reasons set forth in claims 10 and 11 above.
55. As to claim 71, it is rejected for the same reasons set forth in claim 16 above.
56. As to claim 72, they are rejected for the same reasons set forth in claim 17

above.

57. Applicant's arguments filed on 3/17/2005 have been fully considered but they are not persuasive.

58. In the remarks, the applicant argued in substance that:

(1) The cited col. 14 discusses determining a current location of the user at point 202, but (Blants) does not disclose determining multiple position coordinates of a wireless device for a selected time interval. Instead, the cited col. 14 discusses determining a current scheduled location, not multiple position coordinates in a time interval as claimed.

59. Examiner respectfully traverses applicant's remarks:

As to point (1), In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., **multiple** position coordinates in **claims 18, 40 and 62**) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Furthermore, Blants discloses a global positioning system that inherently has a function to determine position coordinates (x, y, z position coordinates; col. 13, lines 10-13) and time

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information (202, fig. 5) of a wireless device periodically (col. 9, lines 55-60; location register; col. 12, lines 31-40; col. 13, lines 10-13; col. 14, lines 34-42).

60. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

61. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jungwon Chang whose telephone number is 571-272-3960. The examiner can normally be reached on 9:30-6:00 (Monday-Friday).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-



872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JWC  
June 23, 2005

  
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